

**CERTIFICATE OF ELECTRONIC
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I hereby certify that this correspondence for
Application No. 10/021,602 is being electronically
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WEB, on December 21, 2009.



David H. Brinkman, Reg. No. 40,532

12/21/09

Date

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Christopher L. Adrien et al.
Serial No. : 10/021,602
Filed : December 12, 2001
Confirmation No. : 5540
Group Art Unit : 1797
Examiner : Handy, Dwayne K.
Title : **COVER SLIP**
Attorney Docket No. : ERIE-75

Cincinnati, Ohio 45202

December 21, 2009

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS (37 C.F.R. § 1.191)**

Applicants hereby appeal to the Board of Appeals from the last decision
of the Examiner mailed June 22, 2009 finally rejecting claims 5 and 44-57.

The item(s) checked below are appropriate:

1. Status of Applicant

This application is on behalf of

 X Other than a small entity
 Small Entity

2. Fee for Filing Notice of Appeal

Pursuant to 37 C.F.R. § 1.17(b), the fee for filing the Notice of Appeal is:

☒ Other than a small entity \$540.00

☐ Small Entity \$270.00

Notice of Appeal Fee Due **\$540.00**

3. Extension of Term

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

☒ Applicants petition for an extension of time under 37 C.F.R. § 1.136 for the total number of months checked below:

	Extension (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
<input type="checkbox"/>	one month	\$ 130.00	\$ 65.00
<input type="checkbox"/>	two months	\$ 490.00	\$ 245.00
<input checked="" type="checkbox"/>	three months	\$ 1,110.00	\$ 555.00
<input type="checkbox"/>	four months	\$ 1,730.00	\$ 865.00

Extension of Time Fee Due **\$1,110.00**

☒ The Extension of Time fee as required by 37 C.F.R. § 1.17(c) is reflected on the Electronic Fee Sheet. If an additional extension of time is required, please consider this a petition therefor.

4. Payment

☒ Payment of all charges due for this filing is made on the attached Electronic Fee Sheet.

☐ Please charge Deposit Account No. 23-3000 in the sum of \$_____.

5. Fee Deficiency

☒ If any additional fee for appeal or extension is required, or if any overpayment is made, either charge or credit Deposit Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P

By 

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